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SUBJECT: EGYPTIAN HIGH COURT RULES IN FAVOR OF RECONVERTS

REF: A. 07 CAIRO 1427
[1](#)B. CAIRO 157

Sensitive but unclassified. Please protect accordingly.

[1](#)1. (SBU) Summary: On February 10, Egypt's Supreme Court of Administrative Justice ruled in a case brought by Christian "re-converts" that the government must issue identification documents listing their religion as Christianity. The ruling reversed an April 2007 decision by the Cairo Court of Administrative Justice which held that Egypt's Ministry of Interior (MoI) was not required to recognize reconversions (ref A). The February 10 ruling, which cannot be appealed, is expected to apply broadly to the hundreds of reconversion cases pending in Egypt's administrative court system. Egypt's human rights community welcomed the decision as a positive development in Egypt's struggle with entrenched legal and bureaucratic practices that undermine constitutional guarantees of religious freedom. End summary.

[1](#)2. (SBU) The February 10 decision requires the government to issue all-important identification documents to "reconverts," individuals born as Christians who converted to Islam and subsequently reconverted to Christianity. The ruling applies directly to 12 cases, but attorneys involved in the cases expect the court to apply the ruling to 45 other cases pending before it. Additionally, according to Ramses Al Naggar, an Embassy contact and lawyer representing many reconverts, there are at least 400 similar cases pending in lower administrative courts. Al Naggar expects the lower courts to quickly apply the Supreme Administrative Court's ruling to the cases before them.

[1](#)3. (SBU) The practical effect of the ruling is that reconverts may now list Christianity, rather than Islam, as their religion on official documents. As a result, reconverts will no longer be subject to Muslim personal status laws and may freely marry Christians. Their children will not be required to participate in Islamic religious education courses in public schools.

[1](#)4. (SBU) The judge delivered the ruling orally and has not yet issued a written decision. In his comments, the judge said that he will require the MoI to state in any resulting identification documents that the holder had at some point adopted Islam. Human rights lawyer Gamal Eid (please protect), who is involved in other religious freedom litigation, told us that this portion of the ruling is worrisome as it could be an "invitation to discrimination." Al Naggar, however, said he is less concerned, and will wait to see how, and if, this part of the decision is implemented.

[1](#)5. (SBU) Reaction to the ruling has been positive with human rights groups, including the Egyptian Initiative for Human

Rights, welcoming it. Al Naggar said that his clients are extremely happy with the decision. He believes the ruling has the potential to be applied not only to the pending cases brought by reconverts, but in a range of other religious identification cases, for instance to children of parents who converted to Islam, but who, as adults, wish to assert a Christian identity.

¶6. (SBU) Comment: This ruling comes less than two weeks after the Cairo Administrative Court ruled that the MoI must issue identification documents, with the religious identification block left blank, to members of Egypt's Baha'i minority (ref B). Whether these rulings represent a trend towards greater respect for Egypt's constitutional guarantee of religious freedom will not be clear until the MoI bureaucracy begins implementation. For now, the lawyers involved in the cases are optimistic. They attribute their recent successes to Egypt's administrative courts acting professionally and thoroughly considering the reconverts' legal arguments, arguments the lawyers say are well-grounded in Egyptian law.

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